IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE THIRTY FIRST DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO : 1147 of 2005

Between:

Smt. G. Rama Devi, W/o Nageswar,
R/o 18-2-159, Ursu, Kareemabad, Warangal Town and

District.

..... PETITIONER

AND

1 The Revenue Divisional Officer, Warangal, Warangal

District.
2 The Mandal Revenue Officer, Warangal, Warangal District.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not considering the case of the petitioner for appointment as F.P. Shop dealer for F.P. Shop No. 90/A Ursu, Kareemabad, Warangal town is as illegal, improper, null and void and consequently direct the respondents to consider the case of the petitioner for appointment as F.P. shop dealer for F.P. Shop No. 90/A Ursu, Kareemabad, Warangal town.

Counsel for the Petitioner: MR.M.YESHWANTH KUMAR

Counsel for the Respondent No.: GP FOR CIVIL SUPPLIES

The Court at the admission stage made the following :

ORDER:

The petitioner claims to have worked as an Assistant under the Dealer of Fair Price Shop No.93/A of Warangal Town and acquired experience in the matter of distribution of essential commodities. According to her, a new shop bearing No.90/A at Ursu, Kareemabad, Warangal, has been carved out by allocating the cards from certain existing shops and the 1st respondent is taking steps to appoint a dealer on temporary basis for that shop. She states that she made a representation, dated 24.11.2004 with a request to consider her case in the matter of appointment of temporary dealer for that shop. Complaining that no action has been taken thereon, she seeks appropriate directions.

Heard learned counsel for the petitioner and learned Government Pleader for Civil Supplies.

The circumstances under which Shop No.90/A has been brought about and the fact as to whether any temporary dealer has been appointed therefor are not before this Court. The petitioner claims to have made a representation for consideration of her case for the appointment of dealer for that shop. Appointments of dealers to the fair price shops on temporary basis are made mostly by discretion and ad hoc assessment made by the appointing authority. If the petitioner had the requisite experience in the matter of running a fair price shop and she is a resident of the concerned locality, her case deserves to be considered by the 2nd respondent, if the vacancy still exists. This Court can not express any definite opinion about it.

Hence, the writ petition is disposed of, directing that in case no dealer as yet is appointed for fair price shop No.90/A of Ursu, Kareemabad, Waranagal, the 2nd respondent shall consider the case of the petitioner for appointment for the same on

temporary basis. There shall be no order as to costs.

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31.01.2005

Note: Issue C.C. in two days.

(B/o)

Jsu
To

1 The Revenue Divisional Officer, Warangal, Warangal

District.
2 The Mandal Revenue Officer, Warangal, Warangal District.

3 2CCs to the G.P.for Civil Supplies, High Court Buildings,

Hyderabad. (OUT)

4 2CD copies.